



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,029	02/25/2000	Connie Blackburn	LUCENT-00401	7684

28960 7590 02/21/2003  
HAVERSTOCK & OWENS LLP  
162 NORTH WOLFE ROAD  
SUNNYVALE, CA 94086

EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
----------	--------------

2645

DATE MAILED: 02/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/513,029

Applicant(s)

BLACKBURN ET AL. 

Examiner

Olisa Anwah

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 January 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

Art Unit: 2645

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-3 are rejected under 35 U.S.C. § 102(e) as being anticipated by O'Brien, U.S. Patent No. 5,479,489 (hereinafter O'Brien).

Regarding claim 1, O'Brien discloses an audible confirmation system in an Intelligent Network for allowing a calling party to audibly hear an audible name of a call recipient, the audible confirmation system (see Figure 3) comprising:

a database configured for storing a plurality of text names wherein each of the plurality of text names is associated with a unique identifier (41);

Art Unit: 2645

a control point coupled to the database and configured to retrieve one of the plurality of text names in response to a call recipient selected by the calling party (40); and

a text to speech converter (13) coupled to the control point and configured to convert the selected one of the plurality of text names into the audible name.

Regarding claim 2, see Figure 4.

Regarding claim 3, see white pages from Figure 3.

Regarding claim 4, O'Brien discloses a method of allowing a calling party to audibly identify a call recipient, the method comprising the following steps:

initiating a call from the calling party directed to an identifier belonging to the call recipient (302);

matching the identifier to a text name corresponding to the recipient within a database (308);

retrieving the text name of the recipient from the database (310);

converting the text name of the call recipient to an audible and audibly playing the audible name of the call recipient to the calling party prior to connecting the call (312).

Regarding claim 5, see Figure 4.

Regarding claim 6, see white pages from Figure 3.

Art Unit: 2645

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Brien in view of Lotito et al, U.S. Patent No. 4,625,081 (hereinafter Lotito).

Regarding claim 7, O'Brien does not disclose the limitation of "automatically re-dialing the call recipient if the call cannot be connected". Lotito discloses the claimed limitation (col. 232, lines 40-43). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify O'Brien with a method of automatically re-dialing the call recipient if the call cannot be connected as taught by Lotito. This modification saves a calling party the trouble of having to manually redial a called party's telephone number if the call was not completed.

Regarding claim 8, see Lotito, col. 2, lines 9-12.

Art Unit: 2645

Regarding claim 9, O'Brien discloses a method of allowing a calling party to audibly identify a call recipient, wherein the method comprises the following steps:

    matching an identifier to a text name corresponding to the call recipient wherein the identifier and the text name are stored within a database (308);

    converting the text name of the call recipient to an audible name and audibly playing the audible name of the recipient to the calling party (312).

O'Brien does not disclose the limitation of "pre-recording a voice message by the calling party directed toward an identifier belonging to the call recipient". Lotito discloses the claimed limitation (col. 2, lines 9-12). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify O'Brien with a method of pre-recording a voice message by the calling party directed towards an identifier belonging to a call recipient as taught by Lotito. This modification allows a calling party to record a voice message for a called party and then send the voice message to the called party.

5. Claim 10 is rejected under 35 U.S.C § 103(a) as being unpatentable over O'Brien combined with Lotito in view of Malik, U.S. Patent No. 6,456,700 (hereinafter Malik).

Art Unit: 2645

Regarding claim 10, O'Brien as modified by Lotito does not disclose audibly delivery the voice message to the call recipient subsequent to audibly playing the audible name to the calling party. However Malik discloses audibly delivering a voice message to a call recipient subsequent to audibly playing the audible name to the calling party (col. 2, lines 10-20). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify O'Brien combined to include a method of audibly delivering the voice message to the call recipient subsequent to audibly playing the audible name to the calling party as taught by Malik. This modification allows callers to hear a message recipient's name before interacting with a VMS.

Regarding claim 11, see O'Brien, Figure 3.

Regarding claim 12, see O'Brien, Figure 4.

Regarding claim 13, see O'Brien, Figure 4.

Regarding claim 14, see O'Brien, Figure 1.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be

Art Unit: 2645

reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

OA.

Olisa Anwah  
Patent Examiner  
February 11, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', written over the printed name and title.